

UNITED STATES DISTRICT COURT

for
NORTHERN DISTRICT OF CALIFORNIA
San Francisco Venue

E-Filing

Report on Offender Under Supervision

Name of Offender: Brandie Soto Docket No.: CR 07-0521-01 MMC

Name of Sentencing Judge: Robert L. Miller
United States District Judge
Northern District of Indiana

Date of Original Sentence: January 8, 2003

Original Offense:

Count One: Interstate Transportation in Aid of Racketeering, 18 U.S.C. § 1952(a)(3), a Class D felony

Original Sentence: 60 months custody, two year term of supervised release.

Special Conditions: Special assessment \$100; drug/alcohol treatment; no alcohol; mental health treatment

On August 3, 2007, jurisdiction was transferred to the Northern District of California and assigned to the Honorable Maxine M. Chesney.

Type of Supervision: Supervised Release
Assistant U.S. Attorney: To Be Assigned

Date Supervision Commenced: July 13, 2007
Defense Counsel: To Be Assigned (AFPD)

Petitioning the Court to Take Judicial Notice

Cause

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<u>Charge Number</u>	<u>Violation</u>
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One	There is probable cause to believe that the offender violated standard condition number seven, which states, in part, that she shall not use a controlled substance.
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On January 7, 2008, Ms. Soto submitted a sweat patch, worn between the dates of December 31, 2007 and January 7, 2008, that tested positive for the presence of marijuana. Evidence of the alleged violation is available through a review of Clinical Reference Laboratory test result number 55850432.

On January 23, 2008, Ms. Soto submitted a urinalysis sample in the probation office which tested presumptively positive for the presence of marijuana. In addition, Ms. Soto admitted to using marijuana three days prior to the test. Evidence of the alleged violation is available through my testimony.

Action Taken and Reason

On January 23, 2008, I met with Ms. Soto in my office for the purpose of discussing her use of marijuana. She admitted that she is using marijuana for three reasons; one, "because she has always used it," two, to treat physical pain that she is experiencing, and three, to combat stress. She reports that her doctor is treating her pain with neurontins, as she cannot take narcotics (they make her ill), but they don't seem to completely eradicate the pain she experiences, and so she supplements the prescription medication with marijuana. I have told her that marijuana use will not be tolerated in the Federal system, and am assisting her in exploring other ways she can legally treat her pain. It is noted that she has started to see a chiropractor to assist with her back pain, and recently started participating in mental health counseling through San Mateo County Mental Health to help her with her stress.

In light of the fact that Ms. Soto appears to want to change her behavior, and there have been numerous other negative urinalysis and sweat patch tests submitted, the undersigned respectfully requests that the Court take judicial notice of the violation, and take no further action at this time.

Assistant U.S. Attorney Brian Stretch has been notified and there are no objections.

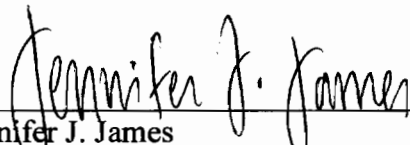
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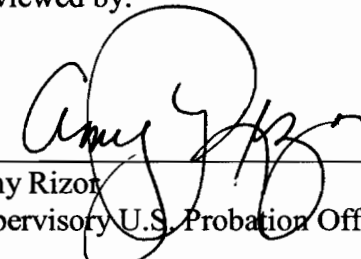
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Address of offender: 1505 Susan Court
San Mateo, CA 94403

Respectfully submitted,

Reviewed by:


Jennifer J. James
U.S. Probation Officer Specialist



Amy Rizor
Supervisory U.S. Probation Officer

Date Signed: January 24, 2008

THE COURT ORDERS:

- ☒ The Court concurs and takes judicial notice
- ☐ Submit a request to modify supervision
- ☐ Submit a request for warrant
- ☐ Submit a request for summons
- ☐ Other:

1-25-08
Date


Maxine M. Chesney
United States District Judge